

# Translation

## PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

PCT/EP2003/013040



Applicant's or agent's file reference <b>2003P00936WO</b>	<b>FOR FURTHER ACTION</b> See Form PCT/IPEA/416	
International application No. <b>PCT/EP2003/013040</b>	International filing date (day/month/year) <b>20 November 2003 (20.11.2003)</b>	Priority date (day/month/year) <b>24 January 2003 (24.01.2003)</b>
International Patent Classification (IPC) or national classification and IPC <b>H04M 3/22</b>		
Applicant <b>SIEMENS AKTIENGESELLSCHAFT</b>		

- This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 5 sheets, including this cover sheet.
- This report is also accompanied by ANNEXES, comprising:
  - ☐ (sent to the applicant and to the International Bureau) a total of \_\_\_\_\_ sheets, as follows:
    - ☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
    - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
  - ☐ (sent to the International Bureau only) a total of \_\_\_\_\_, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

- This report contains indications relating to the following items:

- ☒ Box No. I Basis of the report
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

Date of submission of the demand <b>28 April 2004 (28.04.2004)</b>	Date of completion of this report <b>10 November 2004 (10.11.2004)</b>
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2003/013040

## Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language \_\_\_\_\_, which is language of a translation furnished for the purpose of:
- ☐ international search (under Rules 12.3 and 23.1(b))
  - ☐ publication of the international application (under Rule 12.4)
  - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

- ☐ The international application as originally filed/furnished
- ☒ the description:
- pages \_\_\_\_\_ 1-4 \_\_\_\_\_, as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the claims:
- pages \_\_\_\_\_ 1-11 \_\_\_\_\_, as originally filed/furnished
- pages\* \_\_\_\_\_, as amended (together with any statement) under Article 19
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the drawings:
- pages \_\_\_\_\_ 1-11 \_\_\_\_\_, as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (specify): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (specify): \_\_\_\_\_

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (specify): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (specify): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.  
PCT/EP 03/13040

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)	Claims	1-11	YES
	Claims		NO
Inventive step (IS)	Claims	1-11	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-11	YES
	Claims		NO

### 2. Citations and explanations

Reference is made to the following documents:

- D1: WO-A-01/60098 (NOKIA NETWORKS OY)  
16 August 2001 (2001-08-16)
- D2: WO-A-02/084985 (NOKIA CORPORATION)  
24 October 2002 (2002-10-24)
- D3: DE-A-101 06 351 (T-MOBILE DEUTSCHLAND GMBH T)  
5 September 2002 (2002-09-05)
- D4: "Digital cellular telecommunications system  
(Phase 2+); Lawful interception; Stage 2 (3GPP TS  
03.33 version 8.1.0 Release 1999)" ETSI TS 101  
509 V8.1.0, December 2000 (2000-12), pages 1--64,  
XP002245690.

### Claim 1

Document D1 is considered to be the closest prior art for the subject matter of claim 1. D1 discloses a method for deciding on intercepting a telecommunications connection (cf. page 13, lines 21 and 22), during which an identification detail concerning at least one party to the telecommunications connection is checked to determine whether said identification detail is contained in at least one identification detail **abbreviation** which concerns parties to be monitored and which is stored in a list (cf. page 13, lines 22 and 33), and, in the event that said identification detail is contained in the list, an

*interception of the telecommunications connection is initiated (cf. page 13, line 33 to page 14, line 4).*

The subject matter of claim 1 differs from the method of document D1 in that a comparison is made with identification detail **abbreviations**.

The technical effect of this difference is that a group of subscribers can be identified with one identification detail abbreviation, and therefore the number of entries to be verified in the list is reduced (cf. the description, page 1, line 27 to page 1a, line 2).

The objective problem addressed by the present invention can therefore be considered that of determining more easily whether subscribers are to be intercepted (cf. the description, page 1, lines 23 to 25).

None of the available documents discloses or suggests a solution to this problem by means of the features of claim 1. Document D1, however, already indicates the problem of lists which become too big (cf. page 9, lines 1 to 30), and document D2 discloses a method in which a service control system stores a list with abbreviated subscriber identification details (cf. page 5, lines 12 to 16) and in which a group of subscribers can therefore be identified with one identification detail abbreviation (cf. page 6, lines 10 to 17). It is not obvious, however, to adapt the method of document D1 according to the teaching of document D2. In the method of document D1, several identification details (IMSI, MSISDN and IMEI) of the parties to be intercepted are stored together (cf. the database 5 in figure 1). Consequently, identification detail abbreviations cannot be combined with that method.

Document D3 addresses basically the same problem (cf. paragraphs [0002] to [0007]), but discloses a different solution, that is, the list is reduced by means of filter functions (cf. paragraphs [0014] to [0028]).

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Document D4 discloses the ETSI GSM 03.33 standard for implementing subscriber monitoring measures, but does not propose a solution to the above-mentioned problem.

The subject matter of claim 1 is therefore novel and inventive and thus meets the criteria in PCT Article 33(2) and (3).

**Claims 2-10**

Claims 2-10 are dependent on claim 1 and therefore likewise meet the PCT requirements for novelty (PCT Article 33(2)) and inventive step (PCT Article 33(3)).

**Claim 11**

Claim 11 defines a device with essentially the same subject matter as claim 1 and therefore likewise meets the PCT requirements for novelty (PCT Article 33(2)) and inventive step (PCT Article 33(3)).